



MAIL STOP - AMENDMENT
Docket No. 23233YXY
Attorneys: GMN/TEH/AGZ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: HERMELIN et al.

Art Unit: 1616

Appl. No.: 10/644,041

Examiner: ALSTRUM-ACEVEDO

Filed: August 20, 2003

Confirmation No.: 5080

Title: **MAXIMIZING EFFECTIVENESS OF SUBSTANCES USED TO IMPROVE HEALTH AND WELL BEING**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

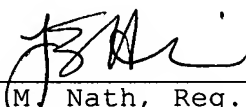
1. Information Disclosure Statement;
2. Copy of the Search Report issued by the European Patent Office for the corresponding European Application, dated April 20, 2007;
3. PTO Form-1449 citing 4 references;
4. Copies of the 4 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112..

Respectfully submitted,
THE NATH LAW GROUP

June 21, 2007

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314



Gary M. Nath, Reg. No. 26,965
Tanya E. Harkins, Reg. No. 52,993
Ari G. Zytcer, Reg. No. 57,474
Customer No. 20529

ct



MAIL STOP - AMENDMENT
Docket No. 23233YXY
Attorneys: GMN/TEH/AGZ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: HERMELIN et al.

Art Unit: 1616

Appl. No.: 10/644,041

Examiner: ALSTRUM-ACEVEDO

Filed: August 20, 2003

Confirmation No.: 5080

Title: **MAXIMIZING EFFECTIVENESS OF SUBSTANCES USED TO IMPROVE HEALTH AND WELL BEING**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

a. ☐ The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

b. ☒ The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

☒ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or

☐ ii. a check in the amount required by 37 C.F.R. 1.17(p).

c. ☐ The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ Certification report(e) below; and

☐ a check in the amount as required by 1.17(p).

d. ☐ The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[XXX] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. [XXX] Copies of the documents are attached herewith with a completed PTO Form-1449.

or

☐ Copies of the documents are not attached, with a completed PTO Form-1449 as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

☐ Copies of US Patents/Publications not attached, with a completed PTO Form-1449 as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

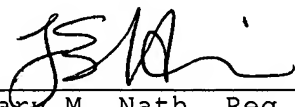
The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
THE NATH LAW GROUP

June 21, 2007

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314



Gary M. Nath, Reg. No. 26,965
Tanya E. Harkins, Reg. No. 52,993
Ari G. Zytcer, Reg. No. 57,474
Customer No. 20529

ct

PTO FORM-1449 <u>INFORMATION DISCLOSURE</u> <u>CITATION</u>		Inventor: HERMELIN et al.		Art Unit: 1616	
		Appl. No.: 10/644,041		Examiner: ALSTRUM-ACEVEDO	
		Filed: August 20, 2003		Confirmation No.: 5080	
U.S. PATENT DOCUMENTS					
Exam. Initial		Document No.	Issue/Public. Date	Inventor	Filed Date
	A1				
	A2				
FOREIGN PATENT DOCUMENTS					
Exam. Initial		Document No.	Public. Date	Country	Translation
	A3	92/04011	19 Mar 1992	WO	N/A
	A4				
	A5				
OTHER					
Exam. Initial	(Including Author, Title, Date, Pertinent Pages, etc.)				
	A6	Jaehde et al., <u>Lehrbuch der Klinischen Pharmazie</u> . Wissenschaftliche Verlagsgesellschaft MBH, Stuttgart, pp.68-70, 1998. (XP-002425224)			
	A7	Johno et al., "An Estimation of Pharmacokinetic Parameters for Each Dosing at Unequal Doses and Dosing Intervals." <u>Therapeutic Drug Monitoring</u> , v.10:3, pp.296-298, 1988. (XP-009080639)			
	A8	Thompson et al., "The Repeated One-Point Method for Predicting Dose Sizes with Irregular Dosing Intervals." <u>International Journal of Clinical Pharmacology Therapy and Toxicology</u> , v.24:7, pp.337-343, 1986. (XP-009080638)			
	A9				
	A10				
Examiner				Date Considered	
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP'609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.					